

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

LIBERTY MUTUAL INSURANCE  
COMPANY

Plaintiff,

v.

FAIRWAY GROUP HOLDINGS  
CORPORATION, and FW  
OPERATING CORP. f/k/a FAIRWAY  
OPERATION CORPORATION

Defendants.

**MOTION TO ADMIT COUNSEL  
*PRO HAC VICE***

Case No. 07-cv-11415 (LTS) (AJP)

FILED  
U.S. DISTRICT COURT  
2008 FEB -6 AM 11:09  
S.D. OF N.Y.

Pursuant to Local Rule 1.3(c) of the Local Rules of this Court, Michael E. Twomey ("Movant"), hereby moves this Court to enter an order admitting Laura A. Foggan, Wiley Rein LLP, 1776 K Street NW, Washington, DC 20006, 202.719.7000, FAX 202.719.7049, to practice before the Court for purposes of representing plaintiff Liberty Mutual Insurance Company in the above-captioned matter.

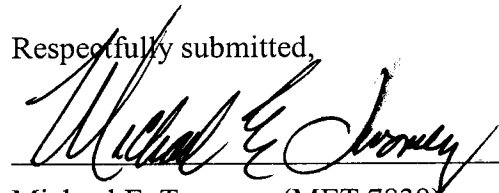
In support of this motion, Movant states that he is a member in good standing of the Bar of this Court. Movant submits the attached Affidavit of Michael E. Twomey and timely certificate attesting to Ms. Foggan's good standing in the Bar of the District of Columbia. There are no pending disciplinary proceedings against Ms. Foggan in any State or Federal Court.

This motion is not accompanied by a memorandum of law because the motion is addressed to the sound discretion of the Court and does not require the resolution of any disputed issues of law.

WHEREFORE, Movant respectfully requests that the Court grant this Motion for Admission of Counsel *Pro Hac Vice* and enter the proposed Order submitted herewith.

Dated: February 6, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Twomey", is written over a horizontal line.

Michael E. Twomey (MET 7839)  
Twomey, Hoppe & Gallanty, LLP  
757 Third Avenue  
New York, NY 10017  
Phone: 212.688.0400  
Fax: 212.688.1929  
*Attorneys for Plaintiff*  
*Liberty Mutual Insurance Company*

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

LIBERTY MUTUAL INSURANCE  
COMPANY

Plaintiff,

v.

FAIRWAY GROUP HOLDINGS  
CORPORATION, and FW  
OPERATING CORP. f/k/a FAIRWAY  
OPERATING CORPORATION

Defendants.

**AFFIDAVIT OF MICHAEL E. TWOMEY IN  
SUPPORT OF MOTION FOR ADMISSION  
OF COUNSEL *PRO HAC VICE***

Case No. 07-cv-11415 (LTS) (AJP)

STATE OF NEW YORK }  
                                  }  
COUNTY OF NEW YORK }

MICHAEL E. TWOMEY, being duly sworn, hereby deposes and says as follows:

1. I am member of the firm of Twomey, Hoppe and Gallanty LLP, 757 Third Avenue, New York, New York 10017, counsel for Plaintiff Liberty Mutual Insurance Company in the above-captioned action. I am familiar with the proceedings in this case. I submit this affidavit based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Laura A. Foggan as counsel *pro hac vice* to represent Plaintiff in this matter.

2. I am a member in good standing of the Bar of the State of New York, and was admitted in 1975. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

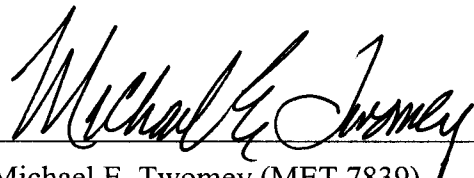
3. Ms. Foggan is a Partner at Wiley Rein LLP, in Washington, D.C.

4. I know and have found Ms. Foggan to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Court for the Southern and Eastern Districts of New York. A timely Certificate of Good Standing of Ms. Foggan from the District of Columbia Bar is annexed hereto.

5. Accordingly, I am pleased to move the admission of Laura A. Foggan, *pro hac vice* in connection with the above-captioned action.

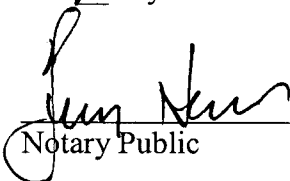
6. I respectfully submit a proposed order granting the admission of Laura A. Foggan, *pro hac vice*, which is attached hereto.

WHEREFORE it is respectfully requested that the motion to admit Laura A. Foggan, *pro hac vice*, to represent Plaintiff Liberty Mutual Insurance Company in the above-captioned matter, be granted.

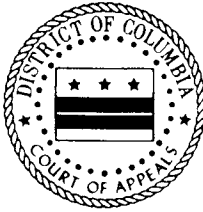


Michael E. Twomey (MET 7839)  
Twomey, Hoppe & Gallanty LLP  
757 Third Avenue  
New York, NY 10017  
Phone: 212.688.0400  
Fax: 212.688.1929

Sworn to and subscribed before me  
this 7<sup>th</sup> day of February, 2008.

  
Notary Public

GARY HOPPE  
Notary Public, State of New York  
No. 31-4754194  
Qualified in New York County  
Commission Expires July 31, 2009



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

Laura A. Foggan

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was on the 19<sup>th</sup> day of December, 1983

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on January 22, 2008.

GARLAND PINKSTON, JR., CLERK

By: *CP. Clark*  
Deputy Clerk

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Plaintiff,

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OPERATING CORPORATION

Defendants.

**ORDER FOR ADMISSION OF COUNSEL  
*PRO HAC VICE* ON WRITTEN MOTION**

Case No. 07-cv-11415 (LTS) (AJP)

Upon the motion of Michael E. Twomey, attorney for Plaintiff Liberty Mutual Insurance Company and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Laura A. Foggan  
Wiley Rein LLP  
1776 K Street NW  
Washington, DC 20006  
Tel.: 202.719.7000  
Fax: 202.719.7049  
[lfoggan@wileyrein.com](mailto:lfoggan@wileyrein.com)

is admitted as counsel for Plaintiff Liberty Mutual Insurance Company in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this order is assigned to the Electronic Case Filing (ECF) System, counsel shall immediately apply for an ECF password at [NYSD.uscourts.gov](http://NYSD.uscourts.gov). Counsel shall file the pro hoc vice for the Clerk of Court.

**SO ORDERED.**

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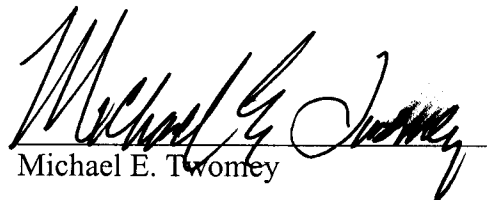
Laura Taylor Swain  
United States District Judge

Dated: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing was sent via first-class mail on February 6, 2008 to the following counsel of record:

<p>Eric Bond <b>HUGHES HUBBARD &amp; REED LLP</b> One Battery Park Plaza New York, New York 10004 Tel.: 212.837.6000 Fax: 212.299-6647 bond@hugheshubbard.com</p> <p><i>Attorneys for Defendants Fairway Group Holdings Corporation, and FW Operating Corp. f/k/a Fairway Operation Corporation</i></p>	

  
Michael E. Twomey